

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

LOL FINANCE COMPANY,

Civil No. 09-0741 JRT/RLE

Plaintiff,

v.

F.J. FAISON, JR. REVOCABLE TRUST,
ALAN G. HERRING, CARLA A.
HERRING, DAVID G. HERRING, JANE
HERRING, AND DOROTHY S. FAISON,

**AMENDED ORDER FOR
JUDGMENT**

Defendants.

Jonathan C. Miesen, Troy J. Hutchinson, and John Brogan, **STOEL RIVES LLP**, 33 South Sixth Street, Suite 4200, Minneapolis, MN 55402, for plaintiff.

Steve W. Gaskins and Wendy M. Canaday, **FLYNN GASKINS & BENNETT, LLP**, 333 South Seventh Street, Suite 2900, Minneapolis, MN 55402, for defendants F.J. Faison, Jr. Revocable Trust and Dorothy S. Faison.

Judgment was entered in this case on August 5, 2010, pursuant to the Court's Order Adopting Report and Recommendation dated August 4, 2010 [Docket No. 81] granting Plaintiff's Motion for Summary Judgment against Defendants Alan G. Herring, Carla A. Herring, David G. Herring and Jane Herring. The Judgment did not enter specific monetary amounts. To correct this oversight,

IT IS HEREBY ORDERED:

1. That Plaintiff's Amended Motion for Summary Judgment [Docket No. 59] is **GRANTED** in its entirety;

2. That Plaintiff is entitled to a money judgment against Defendants Alan G. Herring and Carla A. Herring, jointly and severally, in the principal amount of \$817,280.89, plus interest in the amount of \$18,890.24, for a total of \$836,171.13;

3. That Plaintiff is entitled to a money judgment against Defendants David G. Herring and Jane Herring, jointly and severally, in the principal amount of \$2,875,000.00, plus interest in the amount of \$62,966.42, for a total of \$2,937,966.42;

4. That Plaintiff is entitled to a declaratory judgment declaring and adjudicating: (a) that Plaintiff is not required to pursue its remedies against the makers of the loans at issue in this case and/or foreclose on any available collateral prior to enforcing any judgments entered against Defendants Alan G. Herring, Carla A. Herring, David G. Herring and/or Jane Herring; and (b) Plaintiff is not precluded from commencing additional proceedings against other parties and/or to foreclose on any available collateral by recovering any judgment entered pursuant to this Amended Order for Judgment; and

5. That the Clerk of Court is authorized and directed to forthwith enter an Amended Judgment pursuant to this Amended Order for Judgment.

Dated: October 20, 2010
at Minneapolis, Minnesota

s/ John R. Tunheim
JOHN R. TUNHEIM
United States District Judge